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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,805	03/24/2004	Jin K. Song	PUBINT 3.0-015 CONT II	4383
530	7590	10/05/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			WALSH, DANIEL I	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/807,805

Applicant(s)

SONG, JIN K.

Examiner

Daniel I Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Receipt is acknowledged of the IDS received on 24 March 2004 and the Interview with Mr. Charney on 20,21 September 2004. Herein out, the Examiner has interpreted “direct contact” throughout the claims, to not mean physical direct contact between a signature and a sensor, but that a sensor detects a signature, merely, as discussed with Mr. Charney.

Claim Objections

2. Claim 1 is objected to because of the following informalities: Replace “sensory” with -- sensor -- throughout.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (US 6,064,855) in view of Smith, III (US 5,466,158), both cited by the Applicant.

Ho teaches a book (10) having pages including indicia, at least some of the pages including a magnetic signature (FIG. 6); a book holder (22) adapted to accept the book, the book holder having a reading surface (211) with a magnetic signature sensor (70/74), a reading controller, a speaker (40), a power supply (50); wherein the magnetic signature sensor is predisposed to detect magnetic signature on the pages as they are turned by a user viewing the book, and wherein the reading controller is adapted to interact with the magnetic signature sensor to determine a given pages that the user is viewing responsive to the magnetic signature being sensed, and to retrieve audio representations of the indicia corresponding to the pages being viewed by the user and to reproduce audible sounds relative to the retrieved audio through the speaker for listening by the user (FIG. 1., FIG. 2, and col 2, lines 67+).

Re claim 2, Ho teaches the magnetic signatures are attached to at least some of the pages in a specified location to be detected by the sensor (FIG. 1 and FIG. 4).

Re claim 3, Ho teaches the signature sensors include one or more reading elements pre-aligned on the reading surface to correspond with the signatures (FIG. 1).

Re claim 4, Ho teaches the reading surface is flat (FIG. 1).

Re claim 5, Ho teaches the power supply is coupled to the circuitry and speaker and controls activation for the book holder (FIG. 2).

Though Ho is silent to a reading controller, Ho teaches reading circuitry responsible for controlling the sounds produced in reference to the magnetic signatures detected, and audio means 30. Accordingly, it is obvious that such means is interpreted to include a reading controller, as such means to control output, based on processed information (signals) is well known and conventional in the art. Further, re claim 5, it is

obvious that the reading controllers are disposed on circuit boards, and hence are in electrical contact/coupled with components of the circuit board.

Ho is silent to a cartridge being inserted into the cartridge slot of the book holder that contains the audio corresponding to pages of the book being viewed.

It is well known and conventional in the art to have cartridge of audio content for book systems. Specifically, Smith, III teaches a different cartridge for different stories of a book(s) (abstract) that stores audio.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ho with those of Smith, III.

One would have been motivated to do this in order to have a more versatile system where more stories/books can be used and the corresponding audio content of such books can be provided to the user through a cartridge.

Re claim 13, the limitations have been discussed above. Additionally, Ho teaches a bracket through pocket 222 that is used to hold the book in place while pages are being turned, and is coupled to the reading surface.

Ho is silent to a book support surface for supporting pages.

Smith, III teaches supporting surface 30.

Re claim 14, the limitations have been discussed above re claim 2.

Re claim 15, the supporting surface 30 and the reading surface as discussed above are flat.

Re claim 16, FIG. 1 and 2 of Smith, III teaches folding means of the book support surface and a reading surface, to allow for easy carrying.

Re claim 17, though the prior art is silent to the use of volume control, the Examiner notes that volume control is well known and conventional in the art, and an obvious expedient for producing a pleasant volume level for the user (see US 5,567,163 for a talking book with volume control).

Re claim 18, Ho teaches LED lights for determining a state of the book reader system. Further, the Examiner notes that its well-known and conventional to use LEDs to indicate the power state of an electronic device, and therefore is an obvious expedient.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Ho with those of Smith, III.

One would have been motivated to do this to allow the user to turn pages of the book, and inherently providing support, while also permitting one to detach and replace books.

4. Claims 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho.

Re claim 6, the limitations of have been discussed above, re the teachings of Ho with regard to claim 2.

Re claim 7, the Examiner notes that the book is placed into a holder after the signatures are attached to be aligned with the sensor for processing/reading (FIG. 1 and FIG. 4).

Re claim 8, it is obvious that the pages are turned after the book is inserted into the holder (FIG. 4).

Re claim 9, it is obvious that by turning pages, illustrations/text are identified on pages by detection of the magnetic signatures, as discussed above.

Re claim 10-11, the Examiner notes its obvious that before audio is delivered, the audio must be fetched, and once fetched, it is delivered (reproduced for the user (audibly)).

Re claim 12, though Ho is silent to downloading a duplicate of electronic equivalent representations store din a first electronic memory space into a second electronic memory space housed within the book holder, the Examiner notes that the programming of the memory chips of the book holder devices, includes downloading/transmitting the content from one memory (the source) to the second electronic memory houses within the book holder (i.e. the chips).

5. Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, III.

The teachings of Smith, III have been discussed above. Re claims 19-23, as a cartridge, it is well known and obvious that the cartridge has a carrier means for housing, a chip for storage (including memory spaces with addresses for storing the data, as well known and conventional in the art), and pins to communicate with the reader (48) when inserted. Further, the cartridge 50 has a top, bottom, and sides (FIG. 1). Re claim 24, though Smith, III is silent to a second electronic memory in the book reader system coupled to a first memory space, the Examiner notes that it is well known and conventional for computers to have a second memory space that communicates with a first memory space (external device such as a CD, disk, cartridge, tape, etc.) for means such as buffering, backup, etc., and is well within the skill in the art to be applied to a book reader system (see US 5,697,793 or US 5,761,485). Further, the Examiner notes if the Applicant disagrees with the treatment of claims 19-24, a restriction may be enforced.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Song (US 2004/0016809), Blume (US 2004/0023200), Kim et al. (US 2003/0175672), Mullen (US 2003/0170604), Bresler et al. (US 2003/0152293), Blotky et al. (US 6,788,283), Song (US 6,763,995), Schwab (US 6,229,502), Haas et al. (US 5,707,240), Huffman et al. (US 5,697,793), McTaggart (US 5,417,575), Samreus (US 5,191,329), Krainin (US 3,782,734), Ross (US 4,273,538), Lee (US 2004/0023192), Haas et al. (US 5,954,514), Baer et al. (US 5,437,552), Jeng (US 4,809,246), Dimitracopoulos (US 3,964,188), Jesspo (US 5,645,432), Munyan (US 5,761,485), Ku (US 5,567,163), Posa et al. (US 6,633,741), Soto et al. (WO 3067553), and Marggraff (WO 2103382).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone numbers for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [daniel.walsh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set for the in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

DW
9/21/04

A large, stylized handwritten signature in black ink, likely belonging to D. Walsh, the person whose name appears in the header.A handwritten signature in black ink, likely belonging to Karl D. Frech, the Primary Examiner.

KARL D. FRECH
PRIMARY EXAMINER